IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 9TH FEBRUARY 2007 / 20TH MAGHA 1928

W.P.(C).No. 4071 of 2007(I)

PETITIONER:

M/S.PARAYIL GRANULAR ILNDUSTRIES,
PERUMBAIKADU P.O., KOTTAYAM DISTRICT REP.BY ITS
MANAGING PARTNER, THOMAS P.KURIAKOSE.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA

RESPONDENTS:

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1. KUMARANALLOOR GRAMA PANCHAYAT REP.
   BY ITS SECRETARY, OFFICE OF THE KUMARANALLOOR
   GRAMA PANCHAYAT, KUMARANALLOOR P.O.,
   KOTTAYAM DISTRICT.

2. THE SECRETARY,
   KUMARANALLOOR GRAMA PANCHAYAT, DO. DO.

3. THE PRESIDENT, KUMARANALLOOR GRAMA
   PANCHAYAT, DO. DO.

4. KERALA STATE POLLUTION CONTROL BOARD,
   PATTOM, THIRUVANANTHAPURAM, REP.BY ITS
   MEMBER SECRETARY.

5. THE DISTRICT ENVIRONMENT ENGINEER,
   KERALA STATE POLLUTION CONTROL BOARD,
   NAGAMPADOM, KOTTAYAM.

BY SRI.M.K.CHANDRAMOHAN DAS, SC,ICB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE, J.

W.P.(C)NO. 4071 of 2007

Dated this 9th day of February, 2007

JUDGMENT

The grievance of the petitioner who applied for licence to the first respondent Panchayat for running of a stone crusher unit is that even though it was undertaken by the Panchayat before the Green Channel Clearance Committee that the Panchayat will not have any objection in issuing licence to the petitioner provided there is clearance from the Pollution Control Board, the Panchayat has not so far issued licence. Ext.P4 is the consent issued by the Pollution Control Board in favour of the petitioner. Ext.P5 representation appears to be pending before the Panchayat.

2. Having gone through Ext.P3 and Ext.P4, I am at a loss to understand as to why the Panchayat is hesitant to consider Ext.P5 favourably. Under these circumstances, I dispose of the writ petition itself directing the first respondent Panchayat to dispose of Ext.P2 application in the light of Ext.P3 minutes of the Green Channel Clearance Committee and Ext.P4 consent

issued by the Pollution Control Board within the shortest possible time frame at any rate within a period of three weeks of receiving copy of this judgment together with copies of all the relevant exhibits.

PIUS C.KURIAKOSE
Judge

dpk